

FEB 27 2008

Application No.: 10/620,772

Docket No.: 500110526-02US (1509-428)

REMARKS

Claim 1 has been amended to correct an error of a clerical nature. Claims 5, 7, 8, 9, 10, 18 and 21 have been amended to correct an antecedent problem. Claims 17 and 19 have been cancelled to expedite prosecution. Claim 20 has been amended because the prior form thereof may not have conformed with 35 USC 101.

The inference in paragraph 3, page 2, of the Office Action that the final rejection is on the same basis as the previous rejection is wrong. Previously, all claims were rejected as being anticipated by Carter, US Patent 5,987,506, and Howard, US Patent 6,098,079, was not of record. Howard was cited in the Notice of References Cited (PTO-892) that accompanied the final rejection. PAIR indicates Howard was found by the Examiner after applicants responded to the first Office Action; see page 7 of the EAST Search History lists.

Applicants traverse the rejection of claims 1-16, 18 and 20-27 as being anticipated by Howard.

Concerning claim 1, the Office Action alleges column 1, lines 14-18 of the reference discloses automatically performing a file reconciliation routine in response to the networking of at least two of said computing devices in the same network being performed. While the relied on portion of Howard indicates Howard is related generally to the field of distributed file systems for computers, and more specifically to the reconciliation of different versions of files that may exist at different storage locations within a distributed computer system, this does not mean the reconciliation occurs in response to the networking of at least two of said computing devices in the same network being performed. Howard only reconciles periodically as stated at column 4, lines 43-46.

Regarding claim 2, the Office Action alleges Howard teaches controlling at least one of said computing devices to transmit file reconciliation data periodically irrespective of its or their connectivity to other computing devices. While column 4, lines 43-46 of Howard discloses periodically reconciling user files and directories at the two sites so that both sites have the latest copies of the files and directors, this does not mean there is periodic

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reconciliation irrespective of the connectivity of one or more computer devices to other computing devices.

Regarding independent claim 8, the Office Action says Howard, at column 2, lines 1-5, teaches receiving file data from all unspecified computers within a group in a network, without specifying the computers in the group that are receiving the received file data. While Howard states that systems that are prior art to him broadcast file updates to all storage locations immediately, and in some cases the use of a file being updated is prevented until all copies have been updated, this does not mean networked computer devices receive file data from all unspecified computers in the network without specifying the computers in the group that are receiving the received file data.

Regarding claim 9, the Office Action alleges Howard teaches accepting a computer as a computer of said at least one group on the basis of group identification data specific to the group of specific to the device. While Howard, at column 2, lines 46-49, states the reconciliation technique uses a set of journal files in which the history of file creation, modification, and deletion throughout the system is recorded, and that each journal file maintained the portion of the history involving a particular site, or storage location, this has nothing to do with accepting a computer on the basis of group identification.

In the rejection of claim 10, the Office Action alleges Howard, at column 2, lines 47-52, teaches transmitting a journal of file history for each shared file from one computer into the network. While Howard indicates the reconciliation technique that is prior art to him uses a set of journal files in which the history of file creation, modification, and deletion through the system is recorded, wherein each journal file maintains the portion of the history involving a particular site, or storage location, this does not mean a journal of file history is transmitted.

Regarding claim 11, the Office Action relies on the Howard abstract to state that one of the computing devices requests only file versions not stored therein. While the Howard abstract discloses, that during reconciliation, sequences of version entries associated with each file in each journal are updated and compared to determine whether (1) a conflict exists for any of the files involved in the reconciliation, and (2) if not, which

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version of the file is the current version, this does not mean a Howard computing device requests only file versions not stored therein.

Regarding claim 12, the Office Action states Howard teaches (1) a file journal having a code indicative of the contents of each file version in the journal; and (2) without transmitting the entire journal. While column 3, lines 41-44 of Howard indicates the hash code or digest is computed from the contents of a file according to a known message digest program such that, to a very high probability, the code uniquely identifies the contents of the file from which it is generated, this does not mean a code is transmitted without transmitting the entire journal.

Regarding independent claim 18, the Office Action alleges Howard teaches a distributed file system for distributing files between computing devices of at least one group of computing devices that are connected to each other in a network, wherein the system includes a receiving unit operable to receive file data from all computers within the group without specifying the computers in the group that are receiving the received file data. While column 2, lines 1-5 of Howard discloses prior art wherein file updates are broadcast to all storage locations immediately, and in some cases the use of a file being updated is prevented until all copies have been updated, this has nothing to do with a receiving unit being operable to receive file data from all computers within the group without specifying the computers in the group that are receiving the received file data.

The remaining claims are allowable for the same reasons advanced for the claims upon which they depend. Applicants do not understand why Carter is cited in the rejection of claim 25, on page 12 of the Office Action. Explanation is requested.

Allowance is in order.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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